

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

ROW VAUGHN WELLS, INDIVIDUALLY)
AND AS ADMINISTRATRIX OF THE)
ESTATE OF TYRE DEANDRE NICHOLS,)
DECEASED,)

Plaintiffs,)

v.)

CASE NO. 2:23-CV-02224
JURY DEMAND

THE CITY OF MEMPHIS, A)
MUNICIPALITY; CHIEF CERELYN DAVIS,)
IN HER OFFICIAL CAPACITY; EMMITT)
MARTIN III, IN HIS INDIVIDUAL)
CAPACITY; DEMETRIUS HALEY, IN HIS)
INDIVIDUAL CAPACITY; JUSTIN SMITH,)
IN HIS INDIVIDUAL CAPACITY;)
DESMOND MILL, JR. IN HIS INDIVIDUAL)
CAPACITY; TADARRIUS BEAN, IN HIS)
INDIVIDUAL CAPACITY; PRESTON)
HEMPHILL, IN HIS INDIVIDUAL)
CAPACITY; ROBERT LONG, IN HIS)
INDIVIDUAL CAPACITY; JAMICHAEL)
SANDRIDGE, IN HIS INDIVIDUAL)
CAPACITY; MICHELLE WHITAKER, IN)
HER INDIVIDUAL CAPACITY; DEWAYNE)
SMITH, IN HIS INDIVIDUAL CAPACITY)
AND AS AGENT OF THE CITY OF)
MEMPHIS,)

Defendants.)

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND
TO MOTION DISMISS AND MOTION TO STRIKE ALLEGATIONS FROM
COMPLAINT**

Plaintiff, by and through her attorneys, hereby files this Unopposed Motion for an Extension of Time to Respond to Defendant City of Memphis and Defendant Chief Cerelyn Davis' Motion to Dismiss and Motion to Strike. In support, Plaintiff states as follows:

1. Plaintiffs' Complaint against Defendant City of Memphis, Defendant Chief Cerelyn Davis, and other Defendants was filed on April 19, 2023. ECF Dkt. 1.
2. Defendant City of Memphis and Defendant Chief Cerelyn Davis filed a Motion to Dismiss on July 7, 2023. ECF Dkt. 81.
3. Defendant City of Memphis and Defendant Chief Cerelyn Davis filed a Motion to Strike Allegations from Complaint on July 7, 2023. ECF Dkt. 82.
4. Plaintiffs' Counsel requires additional time to adequately respond to Defendants' two motions.
5. Plaintiffs' Counsel requests an extension up to and including August 11, 2023 to respond to both Defendants' Motion to Dismiss and Motion to Strike.
6. This Motion is made in good faith and not for the purpose of delay.
7. Defendant City of Memphis and Defendant Chief Cerelyn Davis do not oppose this Motion and the relief requested.

WHEREFORE, Plaintiff respectfully requests that the Court grant this Motion for an extension of time through August 11, 2023 to file a response to Defendant City of Memphis and Defendant Chief Cerelyn Davis' Motion to Dismiss and Motion to Strike.

Dated: July 19, 2023

Respectfully Submitted,

/s/ Sarah Raisch
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CERTIFICATE OF CONSULTATION

I, Sarah Raisch, hereby certify that my office contacted counsel for Defendant City of Memphis and Defendant Chief Cerelyn Davis via email on July 10 2023, regarding this Motion. On July 11, 2023, counsel for both Defendants, Bruce McMullen, responded that the Defendants do not oppose this Motion.

s/ Sarah Raisch
Sarah Raisch

CERTIFICATE OF SERVICE

I, Sarah Raisch, hereby certify that on July 19, 2023 I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, and that upon filing, such system will serve a copy of the foregoing upon all counsel of record in this action.

s/ Sarah Raisch
Sarah Raisch